

Annotation

Christianity freedom - concept and problems of acknowledgement in canon law

Key words: Theory and Philosophy of Law, Concept of Law, Freedom of a Christian, Morality, Rights of Catholics

First part: The concept of freedom that is within philosophy and law theory understood in different meanings – distinction among transcendental freedom, freedom of choice and freedom in Christ.

Second part: The concept of law; the relationship between law and values. The nature of canon law; is canon law a juridical or a theological science? School of thought in the contemporary debate about the nature of canon law. Law is one aspect of a complex social reality.

Third part: The nature of the Church; the visible and the invisible church. The renewed theological vision of the nature of the Church. The place of law in the Church. Two distinct ecclesiologies: one of the Church as sacrament and communion, the other of a juridically organized perfect society.

Fourth part: The close relationship of law norms and moral norms in the juristic regulation of the Church. The distinction between to conduct according moral and law norms. Framework of morality. Moral norms encourages persons to be virtuous.

Fifth part: The fundamental human rights are inseparably interconnected in the very person. The fundamental human rights and freedom – assessment of historical developments and current standpoints in the teaching of the Church authority.

Sixth part: Rights and duties, limits of freedom – freedom of everybody else, common good.

Seventh part: Refusing bill of rights within the Church, the fundamental human rights and freedom as a part of Code of canon law.

Eighth part: Freedom of conscience in the documents of the Second Vatican Council. The crucial role of conscience in the Christian moral decision making. Moral perspective – moral norms must be understood as pedagogical rather than the source of obligations. Lacking freedom in Code of canon law – freedom of conscience.

Ninth part: List of the rights of Catholics in the Church – equality of all the Christian faithful, the right to express needs, desires and opinions, right to be consulted on the selection of pastoral leaders; the right to theological inquiry and expression; the right to be informed about the life and activities of the Church; the right to found and direct associations for religious purposes and to hold meetings; the right to one's good name and privacy; right to freely choose s state in life; the right to pastoral care; rights to word, sacrament and one's own spiritual life; the right to initiate, promote and sustain apostolic activities; the right to Christian formation and education; the right to autonomy in temporal affairs; the right to just wages and benefits, the right to a Catholic funeral.

Tenth part: The right to vindicate and defend rights in the Church – how can be defended or vindicated. Deficiency of the guarantee rights of the faithful. Possibilities of alternative dispute resolution. Absence of administrative tribunals.